



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 26, 2003

IN REPLY PLEASE
REFER TO FILE: **MP-6
36.042**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**SANTA ANITA WASH - PARCEL 52EX.5
QUITCLAIM OF EASEMENT - CITY OF MONROVIA
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this transaction categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Declare the easement interest in Santa Anita Wash, Parcel 52EX.5 (13,425 square feet), to be excess property. The parcel is located southerly and westerly of the intersection of Encino Avenue and Bonita Street, in the City of Monrovia.
3. Authorize the quitclaim of easement(s) to the underlying fee owner, Sergio M. Molina, for \$22,000.
4. Instruct the Chairman to sign the enclosed Quitclaim of Easement document and authorize delivery to the grantee(s).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the Los Angeles County Flood Control District to quitclaim its easement(s) in Santa Anita Wash, Parcel 52EX.5, to the underlying fee property owner,

Sergio M. Molina. The parcel is located southerly and westerly of the intersection of Encino Avenue and Bonita Street, in the City of Monrovia.

The District acquired the easement in Parcel 52EX.5 for the purpose of controlling and confining the flood and storm waters of Santa Anita Wash. The underlying fee owner requested this easement be quitclaimed to them. Construction of the channel has been completed, and the subject parcel lies outside of the required right of way.

Implementation of Strategic Plan Goals

This action is consistent with the Strategic Plan Goal of Fiscal Responsibility. The revenue from the sale will be used for flood control purposes. Furthermore, the sale will eliminate the need to maintain the property and reduce the District's expenses and liability.

FISCAL IMPACT/FINANCING

The proposed selling price of \$22,000 represents the fair market value. This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed Quitclaim of Easement document has been approved by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

With respect to requirements of the CEQA, this sale of real property is categorically exempt, as specified in Class 12 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15312 of State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

The Honorable Board of Supervisors
November 26, 2003
Page 3

CONCLUSION

This action is in the District's interest. Enclosed are an original and two duplicates of the Quitclaim of Easement. Please have the original and duplicates signed by the Chairman and acknowledged by the Executive Officer of the Board of Supervisors. Please return the executed original and one duplicate to this office, retaining one duplicate for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

WH:bw
P6:2503BRDLTR

Enc.

cc: Auditor-Controller (Accounting Division - Asset Management)
Chief Administrative Office
County Counsel

RECORDING REQUESTED BY
AND MAIL TO:

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
P.O. Box 1460
Alhambra, CA 91802-1460
Attention: Mapping & Property
Management Division
R/W Engineering Section

Space Above This Line Reserved for Recorder's Use

Document transfer tax is \$ _____
() computed on full value of property conveyed, or
() computed on full value less value of liens and
encumbrances remaining at time of sale
LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
By _____

Assessor's Identification Numbers:
8507-008-031 and 057 (Portions)
8507-010-017 (Portion)

QUITCLAIM OF EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, hereinafter referred to as District, does hereby remise, release, and forever quitclaim to SERGIO M. MOLINA, hereinafter referred to as Grantee, all its right, title, and interest in and to that certain easement for flood control purposes acquired by Easement document recorded February 19, 1942, as Document No. 1478, in Book 19161, page 110, of Official Records, in the office of the Recorder of the County of Los Angeles, insofar and only insofar as said easement exists on the real property in the City of Monrovia, County of Los Angeles, State of California, described in Exhibit "A" attached hereto and by this reference made a part hereof.

The herein quitclaim is subject to all matters of record and to the following conditions and restrictions which Grantee understands to be a part of the consideration for the herein quitclaim, and which, by the acceptance of this Quitclaim of Easement, Grantee and/or his successors and assigns agrees to keep and perform, viz:

1. The channel wall fencing must conform to District's standards and be at least five feet high (no barbed wire allowed).
2. Guardrails or concrete bumpers must be placed for each parking stall, no less than three feet from the channel wall.
3. All parking lot drainage must be adequately handled in accordance with current National Pollutant Discharge Elimination System (NPDES) guidelines and may not be directly connected to a storm drain, channel, or wash. If any drainage is installed for a parking area, it must connect into a sewer line.
4. There shall be no trees planted within eight feet of the channel wall and no permanent structures or other loading can impact the channel walls. Appropriate deed restrictions, covenants, or easements will be in effect to insure the proper use of the area quitclaimed.

SANTA ANITA WASH	52EX.5
36-RW 6.2	
S.D. 5	M0221004

5. Grantee agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, and across the land herein-described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. District does not accept ownership or responsibility for the improvements.

Dated _____

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By _____
Chairman, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

This Quitclaim of Easement together with all the terms, conditions, and restrictions thereof is hereby accepted this _____ day of _____, 2003.

SERGIO M. MOLINA

APPROVED as to form and content
LLOYD W. PELLMAN, County Counsel

By _____
Deputy

KDR:in
P:\Conf\qce\SANTA W52EX.5sg

[illegible]

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chairman of the Board on all papers, documents, or instruments requiring his/her signature.

The undersigned hereby certifies that on this _____ day of _____, 20____, the facsimile signature of _____, Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT was affixed hereto as the official execution of this document. The undersigned further certifies that on this date, a copy of the document was delivered to the Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

(LACFCD-SEAL)

APPROVED as to form

LLOYD W. PELLMAN, County Counsel

By _____
Deputy

APPROVED as to title and execution,
_____, 20____.

DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division

MARTIN J. YOUNG
Supervising Title Examiner III

By_____

ACKNOWLEDGMENT FORM	
STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)
 On _____, before me, _____,	
the undersigned, personally appeared _____	
(insert name and title)	

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.	
WITNESS my hand and official seal.	

Signature	

(Name, Typed or Printed)	(Seal)

NOTARIES: ATTACH ADDITIONAL OR OTHER FORMS, IF REQUIRED

**ACKNOWLEDGMENT FORM
(FOR COUNTY USE ONLY)**

State of California)
) ss.
County of Los Angeles)

On _____, before me, CONNY B. McCORMACK, Registrar-Recorder/County Clerk of the County of Los Angeles, personally appeared _____
_____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

CONNY B. McCORMACK, Registrar-Recorder/
County Clerk of the County of Los Angeles

By _____
Deputy County Clerk (Seal)

APPROVED as to title and execution,
_____, 20_____.
DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division

MARTIN J. YOUNG
Supervising Title Examiner III

By _____

APPROVED as to title and execution,

_____, 20____.

DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division

MARTIN J. YOUNG
Supervising Title Examiner III

By _____

SANTA ANITA WASH 52EX.5

36-RW 6.2

A.P.N. 8507-008-031 (portion)

8507-008-057 (portion)

8507-010-017 (portion)

T.G. 567(E5)

I.M. 159-277

Fifth District

M0221004

LEGAL DESCRIPTION

PARCEL NO. 52EX.5 (Quitclaim of a portion of easement)

That portion of that certain 130-foot wide strip of land in Blocks 32, 33, 40 and 41 of a part of Santa Anita Tract, as shown on map recorded in Book 34, pages 41 and 42, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles, described as PARCEL NO. 52, in a Final Judgment had in Superior Court Case No. 452538, a certified copy of which is recorded in Book 19161, page 110, of Official Records, in the office of said recorder, together with that portion of California Street (now known as Montana Street), 60 feet wide, as shown on said map, vacated by the Board of Trustees of the City of Monrovia by Ordinance No. 768, and also together with that portion of Seventh Avenue (now known as Encino Avenue), 60 feet wide, as shown on said map, vacated by the City of Monrovia by Resolution No. 2915 N.S., recorded on May 2, 1960, as Instrument No. 4112, in Book D832, page 679, of said Official Records, within the following described boundaries:

Beginning at the intersection of the westerly prolongation of the northerly line of Lot 14, Tract No. 6999, as shown on map recorded in Book 78, page 58, of Maps, in the office of said recorder and the northeasterly boundary of said certain 130-foot wide strip of land; thence southeasterly along said northeasterly boundary and following the same in all its various courses and curves to the northerly line of that certain 50-foot wide strip of land designated as L.A. & S.G.V.R.R. on said map of a part of Santa Anita Tract and described in deed to Southern California Railway Company, recorded in Book 661, page 198, of Deeds, in the office of said recorder; thence North 72E 00' 05" West along said last-mentioned northerly line, a distance of 100.01 feet; thence North 26E 03' 08" West 6.27 feet; thence North 26E 04' 19" West 12.51 feet; thence North 26E 08' 54" West 12.53 feet; thence North 26E 18' 12" West 12.56 feet; thence North 26E 32' 05" West 12.58 feet; thence North 26E 50' 37" West 12.60 feet; thence North 27E 13' 48" West 12.62 feet; thence North 27E 41' 36" West 12.64 feet; thence North 28E 14' 02" West 12.67 feet; thence North 28E 51' 05" West 12.69 feet; thence North 29E 32' 47" West 12.71 feet to a point in non tangent curve concave to the southwest

and having a radius of 916.50 feet, a radial of said curve to said point bears North 60E05'12" East; thence northwesterly along said curve through a central angle of 10E 43' 56", an arc distance of 171.67 feet; thence non tangent to said last mentioned curve North 41E 00' 44" West 12.71 feet; thence North 41E 42' 27" West 12.69 feet; thence North 42E 19' 30" West 12.67 feet; thence North 42E 51' 56" West 12.64 feet; thence North 43E 19' 45" West 12.62 feet; thence North 43E 42' 54" West 12.60 feet; thence North 44E 01' 27" West 12.58 feet; thence North 44E 15' 20" West 12.56 feet; thence North 44E 24' 36" West 12.53 feet; thence North 44E 29' 15" West 12.51 feet; thence North 44E 30' 24" West 389.98 feet to said westerly prolongation; thence easterly along said westerly prolongation, a distance of 66.80 feet to the point of beginning.

EXCEPTING therefrom that parcel of land described in deed to EUGENE MALEY and GRACE M. MALEY, recorded on November 19, 1963, as Document No. 3742, in Book D2261, page 224, of said Official Records.

ALSO EXCEPTING therefrom that parcel of land described in deed to SERGIO M. MOLINA and KARIN S. MOLINA, recorded on February 12, 1991, as Document No. 91-209285, of said Official Records.

ALSO EXCEPTING therefrom that parcel of land described in deed to SERGIO M. MOLINA, recorded on March 25, 1997, as Document No. 97-448432, of said Official Records.

Containing: 13,425" square feet.

EXHIBIT A